DEVLIN
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INTELLECTUAL PROPERTY LAW

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Ken Zeidner

PARTNER

EDUCATION

- J.D., Benjamin N. Cardozo School of Law, 2001
- Ph.D., Medical and Molecular Genetics, Mt. Sinai School of Medicine, 1998
- M.S., Biological Sciences, James Madison University, 1991
- B.A., Biological Sciences, Rutgers University, 1989

BAR & COURT ADMISSIONS

- New York
- New Jersey
- United States Supreme Court
- Court of Appeals for the Federal Circuit
- United States Patent & Trademark Office (Reg. No. 64,700)

Biography

Ken Zeidner is an accomplished attorney with over 20 years' experience in all aspects of Intellectual Property law, including patent and trademark prosecution, patent and complex civil litigation and appeals, post-grant proceedings and appeals, administrative and regulatory law, and client counseling. He has a strong background in biotechnology and pharmaceutical patent law and now focuses much of his practice on Hatch-Waxman and BPCIA litigation. Throughout his professional career, Ken has counseled clients in such diverse technical areas as drug discovery and development, polymorphism, pharmaceutical and chemical formulations, gene discovery, nucleic acid amplification, antisense and siRNA technology, genetic testing, medical and drug delivery devices, biofuel, latex articles and processing, air pollution abatement, semiconductors, mechanical and electrical devices, firearms and weaponry, and environmental monitoring and remediation.

Prior to joining Devlin Law Firm as a partner, Ken was Head of IP Litigation and Strategy at Alembic Pharmaceuticals and Amneal Pharmaceuticals and served as counsel at several IP-focused law firms, including Fitzpatrick Cella Harper & Scinto, Lerner David Krumholz & Mentlik and Budd Larner. He is licensed to practice in New York and New Jersey and before the United States Supreme Court, the United States Court of Appeals for the Federal Circuit and the United States Patent & Trademark Office.

Ken graduated Summa Cum Laude and Order of the Coif from Cardozo Law School (3rd in class), where he served as Executive Editor on the *Cardozo Law Review*. While a student, he was a Teaching Assistant for Torts and Civil Procedure. His law review article, entitled *Inadvertent Disclosure and the Attorney-Client Privilege: Looking to the Work Product Doctrine for Guidance*, was published in 2001 at 22 CARDOZO L. REV. 1315.

Prior to attending law school, Ken obtained his Ph.D. in Medical and Molecular Genetics from Mt. Sinai School of Medicine, where his dissertation research centered on enzyme and DNA therapies for lysosomal storage diseases. While a

student, he was a Graduate Teaching Fellow in Human Genetics and Medical Genetics. His preclinical studies provided the basis for FDA approval of Fabrazyme®, Genzyme's enzyme replacement therapy for Fabry disease, and were published as Ioannou, Y., Zeidner, K., Gordon, R. and Desnick, R., "Fabry disease: Preclinical studies demonstrate the effectiveness of alpha-galactosidase A replacement in enzyme-deficient mice," *Am. J. Hum. Genet.*, 68:14-25 (2001).

Representative Cases

- Lynparza® (D.N.J. 2026, represented generic)
- Nubeqa® (D. Del. 2026, represented generic)
- Vitrakvi® (D. Del. 2026, represented generic)
- Zepbound® (D. Del. 2026, represented generic)
- Mounjaro® (D. Del. 2026, represented generic)
- Crexont® (D. Del. 2026, represented generic)
- Jakafi® (D.N.J. 2026, represented generic)
- Lumigan® (E.D.N.Y. 2026, represented generic)
- Fanapt® (D. Del. 2026, represented generic)
- Entresto® (D. Del. 2025, represented generic)
- Mektovi® (D. Del. 2025, represented generic)
- Calquence® (D. Del. 2024, represented generic)
- Venclexta® (D. Del. 2024, represented generic)
- Adempas® (D.N.J. 2024, represented generic)
- Opsumit® (D.N.J. 2023, represented generic)
- Brilinta® (D. Del. 2023, represented generic)
- Uptravi® (D. Del. 2023, represented generic)
- Tibsovo® (D. Del. 2023, represented generic)
- Pataday® (D. Del. 2023, represented generic)
- Revlimid® (D.N.J 2022, represented generic)
- Rexulti® (D.N.J 2022, represented generic)
- Pennsaid® 2% (D. Del. 2022, represented generic)
- Tagrisso® (D. Del. 2022, represented generic)
- Vortioxetine® (D. Del. 2021, represented generic)
- Corlanor® (D. Del. 2021, represented generic)
- Ibrance® (D. Del. 2021, represented generic)
- Sprycel® (D.N.J. 2021, represented generic)
- Jardiance® (D. Del. 2021, represented generic)
- Evomela® (D. Del. 2021, represented generic)
- Jublia® (D.N.J. 2020, represented generic)
- Latuda® (D.N.J. 2020, represented generic)

- Jadenu® (D.N.J. 2020, represented generic)
- Esbriet® (D. Del. 2020, represented generic)
- Xarelto® (D. Del. 2020, represented generic)
- Bosulif® (D. Del. 2019, represented generic)
- Aczone® 7.5% (PTAB 2019, represented generic)
- Vivitrol® (PTAB 2019, represented generic)
- Oracea® (D. Del. 2018, represented generic)
- Nasonex® (D. Del. 2017, represented generic)
- Copaxone® 40 mg (D. Del. 2017, represented generic)
- Oxycontin® (PTAB 2017, represented generic)
- Xyrem® (PTAB 2017, represented generic)
- Mucinex® (D. Del. 2017, represented generic)
- Axiron® (S.D. Ind. 2016, represented generic)
- Oxycontin® (S.D.N.Y. 2015, represented generic)
- Vagifem (D.N.J. 2014, represented generic)
- Celebrex® (W.D.N.Y. 2003, represented brand)
- Taxol® (Fed. Cir. 2001, represented generic)

Honors and Distinctions

- *Summa Cum Laude*, 2001
- Order of the Coif, 2001
- National Institutes of Health Predoctoral Fellowship, 1991-1993
- Graduate Teaching Fellowship, Medical Genetics, 1993-1998
- Graduate Teaching Fellowship, Introduction to Human Genetics, 1994-1995
- Graduate Research Fellowship, 1990-1991
- Graduate Summer Fellowship, 1990
- Graduate Teaching Fellowship, General Biology, 1989-1990

Professional Memberships

- ABA
- AIPLA
- Mensa

Selected Articles, Presentations, and Publications

- Charles Guttman and Ken M. Zeidner, *The Supreme Court Lowers the Bar on the On-Sale Bar*, METROPOLITAN CORP. COUNS., Feb. 2001, at 15.

- Zeidner K., Desnick R. and Ioannou Y., “Quantitative determination of globotriaosylceramide by immunodetection of glycolipid-bound recombinant verotoxin B subunit,” *Anal. Biochem.*, 267:104-13 (1999)
- Ziegler R., Yew N., Li C., Cherry M., Berthelette P., Romanczuk H., Ioannou Y., Zeidner K., Desnick R., Cheng S., “Correction of enzymatic and lysosomal storage defects in Fabry mice by adenovirus-mediated gene transfer,” *Hum. Gene. Ther*., 10:1667-82 (1999)
- Ioannou Y., Zeidner K., Grace M. and Desnick R., “Human alpha-galactosidase A: glycosylation site 3 is essential for enzyme solubility,” *Biochem. J.*, 332:789-97 (1998)
- Wang A., Ioannou Y., Zeidner K. and Desnick R., “Murine alpha-N-acetylgalactosaminidase: isolation and expression of a full-length cDNA and genomic organization: further evidence of an alpha-galactosidase gene family,” *Mol. Genet. Metab.*, 65:165-73 (1998)
- Gotlib R., Bishop D., Wang A., Zeidner K., Ioannou Y., Adler D., Disteche C. and Desnick R., “The entire genomic sequence and cDNA expression of mouse alpha-galactosidase A,” *Biochem. Mol. Med.*, 57:139-48 (1996)